

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- x

UNITED STATES OF AMERICA,

Docket. No. 18 Cr. 32 (ARR)

- against -

RAMELL MARKUS,

Defendant.

----- x

SUPPLEMENTAL SENTENCING MEMORANDUM - *FINAL*

(Defendant's Supporting Academic Records and Additional Letters of Support)

Anthony L. Ricco, Esq.
Attorney For *Ramell Markus*
20 Vesey Street, Suite 400
New York, New York 10007
(212) 791-3919

Steven Legon, Esq.
Of Counsel and on the Memorandum

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- x

UNITED STATES OF AMERICA,

Docket. No. 18 Cr. 32 (ARR)

- against -

RAMELL MARKUS,

Defendant.

----- x

I. Preliminary Note

This Final Supplemental Sentencing Submission includes the records of Ramell Markus' academic achievement from participating with the Blackstone Career Institute, a highly respected educational program which provides academic courses for detained and incarcerated individuals. Also included herein are additional character letters to be considered at the time of sentencing.¹

The record of Ramell Markus' studies with the Blackstone Career Institute and the letters of support have been submitted at the time of sentencing has been provided pursuant to 18 U.S.C. § 3661 which states:

No limitation shall be placed on the information concerning the background, character, and conduct of a person convicted of an offense which a court of the United States may receive and consider for the purpose of imposing a sentence.

The letters, one from his a life long friend, and the from his mother, provide the court with the

¹ The court should be advised that counsel met with Ramell Markus at the Metropolitan Detention Center on April 28, 2019 and that during the session, he raised specific objections to the Government's guideline calculation set forth in its sentencing submission. Ramell Markus objected to the government's request for guideline enhancements based upon (i) serious bodily injury; (ii) the use of the a firearm and (3) obstruction based upon the letter filed, and in support of those objections he provided case authority *Nelson v. Colorado*, 137 S.Ct. 1249 (2017) and *United States v. Cole*, 594 Appx. Fed. 35 (February 19, 2015). Notwithstanding the relevance of the cases provided by Ramell Markus, he was advised that the very same guideline objections were, in fact, specifically and previously raised in his *pro se* objections. To the extent that the court has not addressed these enhancements, Ramell Markus requests that the court does so, and conducts a *Fatico* hearing on these issues - if required. In view of the proliferation of *pro se* submission, counsel has included Ramell Markus' final objection in the excess of caution and to complete an already voluminous record on these matters.

complex view of a once promising, bright and intelligent young boy, whose life was derailed through his exposure to trauma life experiences which left him “*homeless sleeping on trains/buses, eating out of garbage cans, physical and mental abuse, beaten, robbed and scarred emotionally.*”

The supporting letters and academic records provide an accurate account that is shared my most who have had contact with Ramell Markus, including the court’s interaction. There is little doubt that Ramell Markus is intelligent and has done well academically, however, it is also equally apparent that he is a person in desperate need of mental health counseling to help him address and heal from the trauma that he endured during his formative, teenaged and young adult life. The federal sentencing guidelines are powerful and unforgiving of the life circumstances that served to derail the lives of majority of the offenders who appear before federal courts convicted of criminal behavior, and have served as the most significant contributor the modern historical phenomenon known as “*Mass Incarceration.*” It is for this reason, and others, that Ramell Markus prays for a sentence at variance with Guidelines.

Ramell and his family recognize that he most be punished. In this case, the court can impose a sentence at variance with the Guidelines that is severe but that into consideration all the factors that Congress has deemed necessary for consideration at the time of sentencing - which includes Ramell Markus’ background, character and potential for redemption and rehabilitation.

Given the wide range of discretion that the Supreme Court has now empowered the district court to employ when imposing a sentence upon offenders, the additional information about Ramell Markus’ history and characteristics about his life narrative has been presented to provide the court with critical information upon which to arrive at a sentence that is sufficient but not greater than necessary to mitigate the punishment to be imposed upon Ramell Markus for his participation in the serious criminal conduct related to this case.

Based upon the totality of my experiences with Ramell Markus, there is strong support for the

conclusion that with guidance, treatment and love, that he possesses qualities to someday secure a promising life for himself and his family.

Dated: New York, New York
May 2, 2019

Respectfully submitted,

Anthony L. Ricco

Anthony L. Ricco, Esq.



BLACKSTONE CAREER INSTITUTE

1011 BROOKSIDE ROAD, SUITE 300, P.O. BOX 3717, ALLENTOWN, PA 18106-3717

GRADE REPORT

April 5, 2019

Ramell Marcus 90636053
Metropolitan Detention Ctr
PO Box 329002
Brooklyn NY 11232

Student #: 08039090

Dear Ramell:

The grade(s) indicated below have been entered into your permanent academic record earlier today. Your answer sheet will be retained by Blackstone for 30 days should you have any questions regarding your score.

If you find references listed below, we suggest you go back to these pages and review the material. While you did receive a passing grade, we want to ensure you fully comprehend this subject matter. By reviewing the areas of your lesson indicated below, you can better understand those questions you did not answer correctly. The reference directs you to a page number and section heading where you can find the material needed to review and take your re-test successfully.

Please note: Any references below with an answer of 'O' are questions you did not supply an answer for or for which you marked multiple answers. Skipped questions adversely affect your exam grade. Please try your hardest to answer every question on future exams and please only mark one answer per question. Thank you!

EXAM0113A PARALEGAL EXAM #13 100%
 ** No Review Required. Excellent work! **

EXAM0114A PARALEGAL EXAM #14 95%

Ques #	Your Ansr/Pts	Corr Ansr/Max	Reference
10	B	D	p. 100 "Liens"





BLACKSTONE CAREER INSTITUTE

1011 BROOKSIDE ROAD, SUITE 300, P.O. BOX 3717, ALLENTOWN, PA 18106-3717

GRADE REPORT

March 8, 2019

Ramell Marcus 90636053
Metropolitan Detention Ctr
PO Box 329002
Brooklyn NY 11232

Student #: 08039090

Dear Ramell:

The grade(s) indicated below have been entered into your permanent academic record earlier today. Your answer sheet will be retained by Blackstone for 30 days should you have any questions regarding your score.

If you find references listed below, we suggest you go back to these pages and review the material. While you did receive a passing grade, we want to ensure you fully comprehend this subject matter. By reviewing the areas of your lesson indicated below, you can better understand those questions you did not answer correctly. The reference directs you to a page number and section heading where you can find the material needed to review and take your re-test successfully.

Please note: Any references below with an answer of 'O' are questions you did not supply an answer for or for which you marked multiple answers. Skipped questions adversely affect your exam grade. Please try your hardest to answer every question on future exams and please only mark one answer per question. Thank you!

EXAM0111A PARALEGAL EXAM #11

95%

<i>Ques #</i>	<i>Your Ansr/Pts</i>	<i>Corr Ansr/Max</i>	<i>Reference</i>
16	A	B	p. 17 "American Law Evolved from..."

EXAM0112A PARALEGAL EXAM #12

95%

<i>Ques #</i>	<i>Your Ansr/Pts</i>	<i>Corr Ansr/Max</i>	<i>Reference</i>
5	A	B	p. 106 "Words of Condition or of..."



A Direct Learning Systems School

Phone: 610-871-0031 • 800-826-9228 • Fax: 610-871-0034
email: info@blackstone.edu • www.blackstone.edu



BLACKSTONE CAREER INSTITUTE

1011 BROOKSIDE ROAD, SUITE 300, P.O. BOX 3717, ALLENTOWN, PA 18106-3717

GRADE REPORT

February 15, 2019

Ramell Marcus 90636053
Metropolitan Detention Center
PO Box 329002
Brooklyn NY 11232

Student #: 08039090

Dear Ramell:

The grade(s) indicated below have been entered into your permanent academic record earlier today. Your answer sheet will be retained by Blackstone for 30 days should you have any questions regarding your score.

If you find references listed below, we suggest you go back to these pages and review the material. While you did receive a passing grade, we want to ensure you fully comprehend this subject matter. By reviewing the areas of your lesson indicated below, you can better understand those questions you did not answer correctly. The reference directs you to a page number and section heading where you can find the material needed to review and take your re-test successfully.

Please note: Any references below with an answer of 'O' are questions you did not supply an answer for or for which you marked multiple answers. Skipped questions adversely affect your exam grade. Please try your hardest to answer every question on future exams and please only mark one answer per question. Thank you!

EXAM0108A **PARALEGAL EXAM #8** **100%**
** No Review Required. Excellent work! **

EXAM0109A **PARALEGAL EXAM #9** **90%**

Ques #	Your Ansr/Pts	Corr Ansr/Max	Reference
13	A	B	p. 7 "Classification of Crimes"
19	A	C	p. 9 "Casual Relationship between ..."

EXAM0110A **PARALEGAL EXAM #10** **100%**
** No Review Required. Excellent work! **





BLACKSTONE CAREER INSTITUTE

1011 BROOKSIDE ROAD, SUITE 300, P.O. BOX 3717, ALLENTOWN, PA 18106-3717

GRADE REPORT

January 7, 2019

Ramell Marcus 90636053
Metropolitan Detention Center
PO Box 329002
Brooklyn NY 11232

Student #: 08039090

Dear Ramell:

The grade(s) indicated below have been entered into your permanent academic record earlier today. Your answer sheet will be retained by Blackstone for 30 days should you have any questions regarding your score.

If you find references listed below, we suggest you go back to these pages and review the material. While you did receive a passing grade, we want to ensure you fully comprehend this subject matter. By reviewing the areas of your lesson indicated below, you can better understand those questions you did not answer correctly. The reference directs you to a page number and section heading where you can find the material needed to review and take your re-test successfully.

Please note: Any references below with an answer of 'O' are questions you did not supply an answer for or for which you marked multiple answers. Skipped questions adversely affect your exam grade. Please try your hardest to answer every question on future exams and please only mark one answer per question. Thank you!

EXAM0105A PARALEGAL EXAM #5

95%

<i>Ques #</i>	<i>Your Ansr/Pts</i>	<i>Corr Ansr/Max</i>	<i>Reference</i>
13	D	A	p. 22 "Trespass to Personal Property"

EXAM0106A PARALEGAL EXAM #6

95%

<i>Ques #</i>	<i>Your Ansr/Pts</i>	<i>Corr Ansr/Max</i>	<i>Reference</i>
10	A	B	p. 73 "Meaning of Negligence"





BLACKSTONE CAREER INSTITUTE

1011 BROOKSIDE ROAD, SUITE 300, P.O. BOX 3717, ALLENTOWN, PA 18106-3717

GRADE REPORT

December 26, 2018

Ramell Marcus 90636053
Metropolitan Detention Center
PO Box 329002
Brooklyn NY 11232

Student #: 08039090

Dear Ramell:

The grade(s) indicated below have been entered into your permanent academic record earlier today. Your answer sheet will be retained by Blackstone for 30 days should you have any questions regarding your score.

If you find references listed below, we suggest you go back to these pages and review the material. While you did receive a passing grade, we want to ensure you fully comprehend this subject matter. By reviewing the areas of your lesson indicated below, you can better understand those questions you did not answer correctly. The reference directs you to a page number and section heading where you can find the material needed to review and take your re-test successfully.

Please note: Any references below with an answer of 'O' are questions you did not supply an answer for or for which you marked multiple answers. Skipped questions adversely affect your exam grade. Please try your hardest to answer every question on future exams and please only mark one answer per question. Thank you!

EXAM0104A PARALEGAL EXAM #4

95%

Ques #	Your Ansr/Pts	Corr Ansr/Max	Reference
11	C	A	p. 194 "Existence of Subject Matter"



A Direct Learning Systems School

Phone: 610-871-0031 • 800-826-9228 • Fax: 610-871-0034
email: info@blackstone.edu • www.blackstone.edu



BLACKSTONE CAREER INSTITUTE

1011 BROOKSIDE ROAD, SUITE 300, P.O. BOX 3717, ALLENTOWN, PA 18106-3717

GRADE REPORT

December 11, 2018

Ramell Marcus 90636053
Metropolitan Detention Center
PO Box 329002
Brooklyn NY 11232

Student #: 08039090

Dear Ramell:

The grade(s) indicated below have been entered into your permanent academic record earlier today. Your answer sheet will be retained by Blackstone for 30 days should you have any questions regarding your score.

If you find references listed below, we suggest you go back to these pages and review the material. While you did receive a passing grade, we want to ensure you fully comprehend this subject matter. By reviewing the areas of your lesson indicated below, you can better understand those questions you did not answer correctly. The reference directs you to a page number and section heading where you can find the material needed to review and take your re-test successfully.

Please note: Any references below with an answer of 'O' are questions you did not supply an answer for or for which you marked multiple answers. Skipped questions adversely affect your exam grade. Please try your hardest to answer every question on future exams and please only mark one answer per question. Thank you!

EXAM0102A PARALEGAL EXAM #2

95%

<i>Ques #</i>	<i>Your Ansr/Pts</i>	<i>Corr Ansr/Max</i>	<i>Reference</i>
4	A	D	p. 87 "Formal and Informal Contracts"

EXAM0103A PARALEGAL EXAM #3

90%

<i>Ques #</i>	<i>Your Ansr/Pts</i>	<i>Corr Ansr/Max</i>	<i>Reference</i>
3	B	D	p. 136 "Contract or Sale of Lands"
14	A	B	p. 134 "Promise by Executor or.."





BLACKSTONE CAREER INSTITUTE

1011 BROOKSIDE ROAD, SUITE 300, P.O. BOX 3717, ALLENTOWN, PA 18106-3717

GRADE REPORT

November 20, 2018

Ramell Marcus 90636053
Metropolitan Detention Center
PO Box 329002
Brooklyn NY 11232

Student #: 08039090

Dear Ramell:

The grade(s) indicated below have been entered into your permanent academic record earlier today. Your answer sheet will be retained by Blackstone for 30 days should you have any questions regarding your score.

If you find references listed below, we suggest you go back to these pages and review the material. While you did receive a passing grade, we want to ensure you fully comprehend this subject matter. By reviewing the areas of your lesson indicated below, you can better understand those questions you did not answer correctly. The reference directs you to a page number and section heading where you can find the material needed to review and take your re-test successfully.

Please note: Any references below with an answer of 'O' are questions you did not supply an answer for or for which you marked multiple answers. Skipped questions adversely affect your exam grade. Please try your hardest to answer every question on future exams and please only mark one answer per question. Thank you!

EXAM0101A PARALEGAL EXAM #1

95%

Ques #	Your Ansr/Pts	Corr Ansr/Max	Reference
19	D	B	p. 39 "In General"



A Direct Learning Systems School

Phone: 610-871-0031 • 800-826-9228 • Fax: 610-871-0034
email: info@blackstone.edu • www.blackstone.edu

Dear Honorable Judge Ross,

I William Singletary am writing to you on behalf of Mr. Russell Marcus, I've known him all of his life and he has been a very respectful and intelligent young man, he has been known to other people when needed he also help women with there bags and other thing as well. He has been a A student in school from grades 1 to 12. I would hate to see a great person go to waste, he has also been going to school now being in there where he is. If you can find it in your heart to cut him some slack I pray that you do so please have mercy on him.

Thank you for your time

William Singletary

April 30, 2019

Marthalette McNair
910 Dekalb Avenue
Apartment #1F
Brooklyn, NY 11221

Honorable Judge Allyne R. Ross
225 Cadman Plaza East
Brooklyn, NY 11201

Dear Honorable A. R. Ross:

I am Marthalette McNair, writing on behalf of my only son Ramell Marcus who is the love of my life. I have not been the same since and during his imprisonment at Metropolitan Detention Center.

The crime that he has been found guilty of was not in keeping with his character. He is a loving, caring, kind and a selfless individual. He was raised to have morals, known to do what is right and acceptable to know right from wrong. I know that he has respect for others. His putting others before himself with his generosity and loyalty at times to a fault may at times, could be his shortcoming. Ramell has always been and still is highly intelligent in his studies and whatever he puts his mind to he always achieves. From kindergarten up until present time he has always Aced all subjects in his studies in school. From Valedictorians, Honor Rolls to Scholar Ships and now during his incarceration he is distant learning through BlackStone Institute taking College Courses, studying Paralegal getting nothing except 95% to 100% scores on all exams. I believe that Ramell has learned a very valuable, hard lesson that will put him back on the right path to employment and more education so that he can contribute to the community and be an upstanding and productive citizen along with with his Paralegal achieved certification that is his gateway to getting on his feet and a job and I can contribute by providing shelter, clothing, food, carfare and support.


I am very, very proud of my son and all of his accomplishments and to see how far he has come and overcome.

Raised in Brooklyn, born in North Carolina. My upbringing was very, very strict. I couldn't leave off of the stoop at ages 14, 15, 16, and the store was right next door, sundown, in the house, used to be called the early bird, teased, bullied (before there was a word bully) talking about sex was taboo or a beating. I graduated high school and had just entered College and the 1st time I slept with a man I got pregnant with Ramell. Moved out of my mothers' home, in to an abusive relationship (I saw my mother in several and figured it was the norm) soon after I was introduced to drugs/alcohol and felt so free because I used to say I can't wait to get grown. I became addicted and my life became unmanageable but I didn't know it at that time because I still had a job, my apartment and pretending things were ok. Not long after my mother came to my home and said she wanted to keep Ramell for a while, I let him go with her, however, when I went to pick him up she said I couldn't that's when I discovered she filed for custody. I tried fight but was so caught up in my addiction and emotions I couldn't help myself or nobody else, especially Ramell. He has had a very traumatic roller coaster life. He's been removed from me, lived with his grandmother for a couple of years, bounced over to his dad for a short period of time, homeless sleeping on trains/buses, eating out of garbage cans, physical and mental abuse, beaten, robbed and scarred emotionally.

I am humbly pleading for the mercy of the court to not have my only son warehoused away like stored goods and or materials. And that you dear Honorable Judge Ross please find it in your heart to be lenient on my child.

Thank you Judge Ross for your time and consideration in this very important matter.

With Kind Regards,



Marthalette McNair